

FILED JUN '20 1020USDC-OR

1 IN THE US DISTRICT COURT
2 OF OREGON
3

4 MICHAEL SPENGLER JR.

5 #3984203

6 T.T.C.F.

7 450 BAUCHET STREET

8 LOS ANGELES, CA 90012

PLAINTIFF in proper

10 MICHAEL SPENGLER JR.

11 vs.

12 WELLS FARGO BANK N.A., AND

13 SETERUS INC.

CASE#

3:20-CV-1010-SB

(NEW)

6/13/20

16 Jurisdiction/Venue:

17 THIS IS A CIVIL ACTION AUTHORIZED BY
18 28 USC 1332 BECAUSE OF DIVERSITY-

19 THE AMOUNT OF MONEY IN QUESTION IS
20 OVER \$75,000.00. THESE PRINCIPAL

21 PLACES OF BUSINESSES AND INJURIES

22 OCCURRED IN THE GREAT STATE OF OREGON.

23 APPLICABLE INJUNCTIVE 28 USC 2283/2284 + STATE LAW

24 CLAIMS UNDER 28 USC SECTION 1367 APPLY.

25 THESE ARE ALL STATE TORTS. - 28 USC 1391(b)(2)

26 MOST EVENTS GIVING RISE TO CLAIMS OCCURRED HERE.

27 *GIVING FORUM NON CONVENIENS TO DEFENDANTS

28 IN OREGON

2

PARTIES:

1) PLAINTIFF: MICHAEL SPENGLER,
 A pretrial detainee pro-per At ITCF
 (JAIL FACILITY LOS ANGELES) BUT OWNER/INHERITEE
 OF PROBATE/PROPERTY ESTATE MICHAEL SPENGLER
 SR.: 850 W. FOOTHILL BLVD # 27 AZUSA, CA 91702
 JUMP CONNECTION (PARTY RENTALS) ASSETS 1 BANK \$
 LINKED \$250,000-450,000 HOME

2) DEFENDANT'S: #1

WELLS FARGO BANK N.A.

PORTLAND, OREGON

MAILING: 1900 SW 5th AVE.

ACT. # 1865404162, 3444107969, 2348918299, \$50-75,000

3) DEFENDANT #2

WELLS FARGO BANK N.A.

ATTN: PROBATE ACT# 631998 \$35,000

1 HOME CAMPUS MACF F2303-020

DES MOINES, IA 50328

4) DEFENDANT #3

WELLS FARGO BANK N.A.

PHOENIX, AZ \$17,000 # 623418619/

MAILING- 3002 N. CENTRAL AVE. 9670-18

5) DEFENDANT #4

SETERUS INC.

14523 S.W. MILLIKEN WAY #200

BEAVERTON, OR 97005 # 11688142 \$250-450,000

3

1
2 FACTS:

3
4 FROM 2016-2018+

5
6 ON 6/20/16 MY FATHER Michael Spengler
7 SR. DIED, OWNER OF 850 W. FORT + 111
8 BLVD. # 27 AZUSA, CA 91702 -
9 "JUMP CONNECTION" PARTY RENTALS -
10 DIED 6/20/16 AZUSA, CA -
11

12 IT'S ASSETS, ITS BANK ACCOUNTS, IT'S
13 ATTACHED ADDITIONAL \$250-\$450,000 HOME/
14 PROPERTY, WERE ALL TRANSFERRED TO ME BY
15 WAY OF COURT PROCEEDINGS + PROBATE LAWS.
16

17 THE COURT + ITS PARTIES
18 OF ITS PROCEEDINGS, STANDING, ADDRESS
19 CHANGE, ETC. - NONETHELESS, PLAINTIFFS
20 ACCOUNTS WERE DEFRAUDED BY FORGERY +
21 FRAUD BY PEOPLE WHO BROKE IN THE PROPERTY
22 STOLE + USED OUR CHECKS/ATM/PHONE + COMPUTER
23 THAT WELSFARGO HAS IMPROPERLY CHARGED
24 PLAINTIFF/JC. FORT + CONTINUES TO.

25 CAUSING DAMAGES TO THE LOSS OF
26 HIS BUSINESS + HOME FORECLOSURE/FORFEITURE
27 (CONTRIBUTED IN PART BY THE TITLE OWNER SETERUS)
28 BECAUSE OF THE LOSS OF PLAINTIFF NOT HAVING MONEY

4

1 1ST CAUSE OF ACTION / state tort
 2 AGAINST WELLS FARGO BANK N.A. #1, #2, * #3
 3 COMPLAINT FOR MONETARY DAMAGES ~~to~~ TO
 4 RECOVER MONETARY AMOUNTS IMPROPERLY
 5 CHARGED/DEPOSITED & CHARGED INTO THE ACCOUNTS
 6 WITHOUT DRAWER'S SIGNATURE & FORCED ENDORSEMENT
 7 CIV. CODE 1714(a), 3333, 3302, COM CODE 4103(a)
 8 , 3401-3406 & 3205)
 9

10 DEFENDANT:

11 WELLS FARGO IS AUTHORIZED TO CHARGE THE ACCOUNT
 12 FOR CHECKS/DEPOSITS IN ACCORDANCE WITH THE
 13 SIGNATURE CARD & INSTRUCTIONS & LAWS GOVERNING
 14 CHECKS/DEPOSITS/CHECKING ACCOUNTS.
 15 "WITHDRAWALS" FROM THOSE ACCOUNTS ARE ONLY
 16 PERMITTED FROM THE ACCOUNT BEARING THE PROPER
 17 SIGNATURE OF MICHAEL SPENCER / JUMP CONNECTION
 18

19 THROUGHOUT 2016-2018 FRAUDULENT CHECKS IN THE
 20 AMOUNT OF WHAT APPEARS TO BE WHAT
 21 BEGAN AT A BEGINNING BALANCE OF \$50,000
 22 ENDED IN A ZERO BALANCE. THERE ALSO
 23 APPEARS TO BE A LARGE # UNAUTHORIZED/
 24 FORCED CHECKS ^{OF EMPLOYMENT BENEFITS} TOTALING \$25,000 DEPOSITED
 25 THRU ATM (BEARING A FRAUDULENT SIGNATURE)
 26 LATER WITHDRAWN OR ELECTRONICALLY
 27 TRANSFERRED.
 28

5

1 THESE ARE THE OREGON JURISDICTION
2 "ACCOUNTS")

3
4 THESE PAYMENTS DRAWN FROM Jump Connection
5 (these 3 / PLAINTIFFS + HIS DAD'S / ESTATE) ACCOUNTS
6 purport to be that of "US" but ARE IN
7 FACT FORGED / FRAUDULENT by UNAUTHORIZED
8 persons & presented to DEFENDANT FOR
9 PAYMENT. The purported drawer's signature
10 WAS MADE without Jump Connection's
11 knowledge. A BUSINESS ACCOUNT ALTHOUGH IN
12 MY DAD'S NAME: Michael Spengler SR, ^{WAS} TRANSFERRED
13 TO ME (PLAINTIFF) WHO HAS STANDING THEN NOW.
14 DEFENDANT'S PAYMENT OF THE CHECKS &
15 CONSEQUENT CHARGES TO PLAINTIFFS / J.C.'S
16 ACCOUNT ARE CONTRARY TO THE CARD, THE
17 ACCOUNT & CHECKING / BANK AGREEMENT OF
18 THE PARTIES & LAWS GOVERNING CHECKS & ACCOUNTS.
19

20 AN ADDITIONAL \$16,000 PAYMENT WAS
21 GIVEN BY DEFENDANTS TO A Michelle J.
22 WAGGONER I believe, ON "PAPERS"
23 & SIMILAR CIRCUMSTANCES BEARING THE
24 SIGNATURE / AUTHORITY OF Michael Spengler / J.C.
25 FOR PAYMENT. This is the ARIZONA
26 credit CLAIM. - This too is contrary
27 to the Aforementioned.
28

6

1 A SOMERKIND^{OF} LINE OF EQUITY CREDIT CARD.
 2 LINKED TO THESE ACCOUNTS (GIVEN BY IOWA)
 3 WAS SENT TO THE PROPERTY & MENTIONING/
 4 INCORPORATING THE AFOREMENTIONED -
 5 WAS MISUSED BY JOHNNY/JANE DOES TOTAING
 6 \$35,000 IN WHICH BEARING THE "CARD" &
 7 IT WAS PURPORTING THAT TO BE PLAINTIFF/
 8 J.C. / Michael Spengler - MADE CHARGES
 9 TO THE ACCOUNT. THESE CHARGES ARE
 10 CONTRARY TO THE LAWS & AGREEMENT GOVERNING
 11 THE CARD BECAUSE THEY WERE DONE WITHOUT
 12 JC/SPENGLER'S : (A) KNOWLEDGE, (B)
 13 AUTHORIZATION, (C) OR PROPER SIGNATURE
 14 (IN PERSON CARD SIGNATURE, ETC.)
 15

16 SINCE THEN & PRIOR TO THE COMMENCEMENT
 17 OF THIS ACTION, PLAINTIFF HAS WORKED
 18 DILIGENTLY DEMANDING THAT WELLS FARGO
 19 BANK REMOVE IT'S (2) \$16,000 & \$35,000
 20 FRAUDULENT/IMPROPER CREDITOR CLAIMS & LIENS (EX PARTE/
 21 NON JUDICIAL) FROM MY PROPERTY, TO PROSECUTE
 22 THE DEFENDANTS THRU THE STANDARD WELLS
 23 FARGO POLICE PROCEDURES, & REPLACE/RE CREDIT
 24 PLAINTIFFS/JC'S \$50-75,000 ACCOUNT THAT
 25 IT HAS & REFUSES TO STILL DO SO - BY
 26 THE FOREGOING THERE IS NOW DUE
 27 OWING, UNPAID MONEY FROM DEFENDANT.
 28

7

2ND CAUSE OF ACTION -

GENERAL NEGLIGENCE

State tort

VS. WELLS FARGO BANK N.A. DEFENDANTS:

#1, #2, & #3

INCORPORATING 1st CAUSE OF ACTION -

DEFENDANT(S) OWING ITS CUSTOMER:

JUMP CONNECTION AN obvious legal

DUTY OF CARE IN OPERATING, MANAGING,

CONTROLLING ITS CHECK PROCESSING

& SIGNATURE VERIFICATION FUNCTIONS, possibly

SUSPICIOUS circumstances indicative of FRAUD

DEFENDANTS CAUSED UNAUTHORIZED

CHECKS/CHARGES to be charged to

JUMP CONNECTION/PLAINTIFFS ACCOUNT.

AS A RESULT: DEFENDANTS DAMAGED

PLAINTIFF: PLAINTIFF LOST HIS ASSETS/

HOME BY WAY OF FORECLOSURE & FORFEITURE

BECAUSE HE HAD NO FUNDS TO PAY THEM.

BECAUSE OF DEFENDANTS REFUSAL

to repay them/squash the 2 liens/

claims by FRAUDULENT use.

WF BANK IN OREGON ^{→ principal place of business / ~~statement~~} where MOST OF

the ~~#~~ Action resides CAN EASILY coordinate

with its sublets AZ/IOWA - - OREGON IS

WF principal place of business & on statements

7b

3rd Cause of Action

BREACH OF CONTRACT state tort

AGAINST DEFENDANTS: WELLS FARGO BANK
N.A. #1, #2, & #3 -INCORPORATING CAUSE OF ACTIONS 1+2
FACTS & LEGAL ARGUMENT:

A PAYOR BANK (DEFENDANTS) - & a CUSTOMER
PLAINTIFF/J.C. IS THAT OF A DEBTOR &
CREDITOR - BEING FOUNDED ON A AGREEMENT;
A CONTRACT. THE BANK (DEFENDANTS)
UNDER A DUTY - CAN ONLY PAY CHECKS,
PAYMENTS, ETC. IN STRICT ACCORDANCE
WITH THE CUSTOMER'S ORDER. THE
BANK IS WITHOUT AUTHORITY & BREACHES
ITS CONTRACT BY CHARGING ITS CUSTOMERS
ACCOUNTS WITH AN AUTHORIZED ORDER.

A "contract" that the BANK(S)
WILL NOT PAY OUT FUNDS ON A
FORGED, FRAUDULENT, OR UNAUTHORIZED
ENDORSEMENTS -

Thus... DEFENDANTS BREACHED ITS
CONTRACT TO JC/PLAINTIFF IN ISSUING
PAYMENTS CONTRARY TO THE AGREEMENT
THAT IT WOULD NOT PAY OUT IMPROPER PAYMENTS

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1 4TH CAUSE OF ACTION - state tort:

2 FRAUD/deceit: Wells FARGO BANK

3 N.A. #1, #2, & #3, AND #4 Seterus INC.

4
5 ON OR AROUND 3/22/17 & 6/22/17

6 DEFENDANT Wells FARGO BANK N.A.

7 #1, #2, & #3 submitted CREDITOR CLAIMS

8 For those (2) \$16,000 & \$35,000 actions

9 (Aforementioned) to the probate courts
10 CLAIMING:

11 A) PLAINTIFF WAS properly serviced

12 & Accepted the proof of service &

13 B) He owed this MONEY, HOWEVER:

14 The court rejected them.

15
16 DEFENDANTS NOT ONLY ex parte improperly
17 & fraudulently serviced petitioner/plaintiff
18 at A egregiously incorrect obvious incorrect
19 address, fraudulently SAID he signed/accepted,
20 but these "claims" were NOT JUDICIALLY
21 Approved. Defendant #3 banks presented
22 them to Seterus INC. Title/loan holder
23 OF the Estate's property under FALSE
24 preferences/misrepresentations that
25 they were JUDICIALLY Approved.
26
27
28

10

with the intention to Attach them
 Improperly AS liens to the property:
 850 W FOOTHILL BLVD PITS HOUSE - 992 GOTHIC WAY -
 SETERUS INC (a sub company of FANNIE MAE)
 holds Title OF.

AT THE TIME 2017 JUNE 1 INTO Feb.
 2018 when WELLS FARGO made these
 to Seterus, Seterus WAS NOT IGNORANT
 OF these FACTS AND began the
 Foreclosure on the House/property.

Seterus paid WELLS FARGO BANK IOWA
 it's \$35,000 lien/credit claim over
 petitioners objection because:
 (1) it was ex parte, & NON APPROVED
 (2) The \$16,000 ARIZONA still remains
 UNPAID & FROM PAPERS PLAINTIFF
 HAS IN HIS POSSESSION, IT APPEARS
 IT TOO WAS A LIEN, BUT ITS PAYMENT
 FROM SETERUS FAILED, BUT REMAINS UNPAID

PLAINTIFF DEMANDS his \$35,000 (+\$16,000)
 repaid because FRAUD/deceit &
 similar egregious practices ARE
 exemplary & intolerable -

-11-

1 - FRAUD part #2-
 2 DEFENDANTS 1-4-
 3

4 FACTS: THE PAYMENT ON THE PROPERTY
 5 WAS \$1800/MONTH- THE BANK ACCOUNTS
 6 NOT ONLY HAD plenty OF MONEY IN them
 7 at the time OF it's NOTIFICATION to
 8 both seterus & WELLSFARGO JUNE 2016
 9 OF his DEATH, court proceeding & PLAINTIFFS
 10 standing & coupled with employment
 11 benefits deposited into the ACCOUNTS -
 12 AND per customer Agreement: The
 13 accounts were setup ON AUTOPAY to
 14 seterus ON the House/building payment.
 15

16 DEFENDANTS MADE REPRESENTATIONS
 17 TO THE ESTATE & TO PLAINTIFF:

18 A) WELLS FARGO: would remedy the creditor
 19 CLAIMS (2017)

20 B) WELLS FARGO would remedy (2016 & 2018)

21 THE ACCOUNTS OF UNAUTHORIZED
 22 TRANSACTIONS SO THAT PLAINTIFF
 23 COULD restore his FUNDS? AUTOPAY
 24 & NOT loose his property to seterus

25 C) seterus recognized PLAINTIFFS
 26 standing, the court proceedings
 27, & the Monetary BANK ISSUES
 28

12

1 # BECAUSE OF COURT DELAYS: DATE
 2 / HEARING DATES; the stay & hold on
 3 the home & the pending probate -
 4 & title transfer, etc.

5 It would NOT Foreclose - but did -

6 ^{serius}
 7 d) # recognized PLAINTIFFS COMPLAINT on the liens -

8
 9 SAID THAT IT would NOT recognize THEM
 10 but DID -

11
 12 # every step of The Foreclosure &
 13 lien process, ~~serius~~ interfered & WAS
 14 uncooperative.

15
 16 AS A result :

17 #5 CAUSE OF ACTION - AGAINST
 18 DEFENDANTS 1-4 - other real ^{STATE TORT} PROPERTY:
 19 INCLUDING A WRONGFUL EVICTION (INCORPORATING
 20 CAUSE OF ACTION 4) & Foreclosure -

21
 22 #6 CAUSE OF ACTION DEF'S 1-4 ^{STATE TORT}
 23 INTENTIONAL INFLICTION OF EMOTIONAL
 24 DISTRESS - DEFENDANTS ACTIONS
 25 HAVE hurt petitioner, CAUSING HIM

26 ANGUISH, MENTAL & PHYSICAL MULTIPLE SCLEROSIS PAIN

27 - PLAINTIFF PRAYS FOR ^{ADRT} punitive/monetary according to proof & ^{MAX} BY LAW
 28 I declare under penalty of perjury the foregoing is true & correct -
 M. Spangler 6/13/20 MS